

\_\_\_\_\_  
Petitioner's Name

\_\_\_\_\_  
Address (may be omitted for privacy)

\_\_\_\_\_  
City, State, ZIP

\_\_\_\_\_  
Telephone (may be omitted)

IN THE \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY, STATE OF UTAH

_____	)	
	)	
Petitioner,	)	<b>EX PARTE</b>
	)	<b>PROTECTIVE ORDER</b>
vs.	)	
	)	Civil No.
_____	)	
Respondent.	)	Judge

**NOTICE TO THE RESPONDENT: YOU CAN BE ARRESTED FOR VIOLATING THIS ORDER EVEN IF ANY PERSON PROTECTED BY THE ORDER INVITES OR ALLOWS YOU TO VIOLATE THE ORDER'S PROHIBITIONS. ONLY THE COURT CAN CHANGE THE ORDER. YOU MAY BE HELD IN CONTEMPT FOR IGNORING OR ALTERING THE TERMS OF THE ORDER.**

**NOTICE TO THE PETITIONER: YOU CANNOT WAIVE, ALTER, IGNORE OR DISMISS THIS ORDER WITHOUT FURTHER COURT ACTION. YOU MAY BE HELD IN CONTEMPT FOR IGNORING OR ALTERING THE TERMS OF THIS ORDER.**

The Court having found that Petitioner is a cohabitant of Respondent and having found that the Court has jurisdiction over this matter, and having reviewed Petitioner's Verified Petition for Protective Order, from which it appears that domestic violence or abuse has occurred or that there is a substantial likelihood of immediate danger of abuse or domestic violence to Petitioner by the Respondent in that Respondent presents a credible threat to the physical safety of Petitioner, and pending further hearing in this matter,

PURSUANT TO UTAH CODE SECTION 30-6-4.2 THE PETITIONER IS GRANTED AN EX PARTE PROTECTIVE ORDER.

**(The Judge shall initial each section that is included in this Order.)**

THE COURT MAKES THE FOLLOWING ORDERS IN THE CRIMINAL PORTION OF THIS EX PARTE  
Ex Parte Protective Order

PROTECTIVE ORDER: This order is effective from the date and time served on the Respondent, until, after further hearing on this matter, the Respondent is served with a protective order, the protective order is denied or this matter is dismissed.

\_\_\_\_\_ 1. The Respondent is restrained from attempting, committing, or threatening to commit domestic violence or abuse against the Petitioner and shall not stalk, harass, or threaten, or use or attempt to use physical force that would reasonably be expected to cause physical injury to the Petitioner.

\_\_\_\_\_ 2. The Respondent is restrained from attempting, committing, or threatening to commit domestic violence or abuse against the designated family and household members and shall not stalk, harass, or threaten, or use or attempt to use physical force that would reasonably be expected to cause physical injury to those parties. The designated minor children and members of Petitioner's family or household are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ 3. The Respondent is prohibited from directly or indirectly contacting, harassing, telephoning, e-mailing, or otherwise communicating with the Petitioner.

\_\_\_\_\_ 4. The Respondent is ordered excluded and shall stay away from Petitioner's residence and its premises located at: \_\_\_\_\_ and any subsequent residence of Petitioner known to the Respondent, and Respondent is prohibited from terminating or interfering with the utility services to the residence.

\_\_\_\_\_ 5. The Respondent is ordered to stay away from the school, place of employment, and/or other places, and their premises, frequented by Petitioner, the minor children and the designated household and family members. This includes any subsequent school, place of employment or other places known to the Respondent, which are frequented by the Petitioner or the minor children and the designated family and household members. The current addresses include:

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\_\_\_\_\_

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\_\_\_\_\_ 6. Under state law pursuant to this order, the Court having found that Respondent's use or possession of a weapon may pose a serious threat of harm to Petitioner, the Respondent is prohibited from purchasing, using, or possessing a firearm or any of the following weapons:

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\_\_\_\_\_ 7. The Petitioner is awarded temporary possession of the following residence, automobile and/or other essential personal property:

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This order is subject to subsequent orders concerning the listed property in future civil proceedings.

**RESPONDENT'S VIOLATION OF THE CRIMINAL PORTION, PROVISIONS "1" THROUGH "7" OF THIS ORDER IS A CRIMINAL OFFENSE PUNISHABLE AS A CLASS A MISDEMEANOR UNDER UTAH CODE ANN. SECTIONS 30-6-4.2 AND 76-5-108.**

**IF RESPONDENT'S VIOLATION OF PROVISIONS "1" THROUGH "7" OF THIS ORDER IS A SECOND OR SUBSEQUENT DOMESTIC VIOLENCE OFFENSE, ENHANCED PENALTIES MAY BE IMPOSED UNDER UTAH CODE SECTIONS 77-36-1.1 and 77-36-2.4.**

THE COURT ORDERS THE FOLLOWING RELIEF IN THE CIVIL PORTION OF THIS EX PARTE PROTECTIVE ORDER. The civil portion is effective from the date and time served on the Respondent, until, after further hearing on this matter, the Respondent is served with a protective order, the protective order is denied or this matter is dismissed.

\_\_\_\_\_ 8. The Petitioner is granted temporary custody of the following minor child/ren:

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When a minor child is included in an ex parte protective order, the Petitioner may provide a copy of the order to the principal of the school where the child attends.

If the Respondent fails to return custody of a minor child as ordered in this order the Petitioner may obtain a writ of assistance from the court.

\_\_\_\_\_ 9. The Respondent shall have visitation as follows:

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\_\_\_\_\_ 10. The Respondent is restrained from using drugs and/or alcohol prior to or during visitation.

\_\_\_\_\_ 11. The Respondent is restrained from removing the parties' minor children from the state of Utah.

**VIOLATION OR FAILURE TO COMPLY WITH THE CIVIL PORTION, PROVISIONS "8" THROUGH "11" OF THIS ORDER, MAY SUBJECT PERSONS TO CONTEMPT PROCEEDINGS.**

\_\_\_\_\_ 12. The Division of Child and Family Services is ordered to conduct an investigation into the allegation of child abuse.

\_\_\_\_\_ 13. A Guardian ad Litem is appointed to represent the best interests of the children.

\_\_\_\_\_ 14. An officer from the following law enforcement agency: \_\_\_\_\_ shall accompany the Petitioner to ensure that Petitioner obtains custody of the children and/or that the Petitioner safely regains possession of awarded property.

\_\_\_\_\_ 15. An officer from the following law enforcement agency: \_\_\_\_\_ shall facilitate Respondent's removal of Respondent's essential personal belongings from the parties' residence. The law enforcement officer shall contact Petitioner to make these arrangements. Respondent may not contact the Petitioner or enter the residence to obtain any items.

\_\_\_\_\_ 16. Law enforcement agencies with jurisdiction over the protected locations shall have the authority to compel Respondent's compliance with this Order, including the authority to forcibly evict and restrain Respondent from the protected areas. Information to assist with the identification of the Respondent is attached to this Order.

\_\_\_\_\_ 17. The Respondent and the Petitioner are ordered to bring proof of current income to the hearing. The proof should include year-to-date pay stubs or employer statements, and complete tax returns for the most recent year.

\_\_\_\_\_ 18. Other:

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19. Unless otherwise modified by the Court, this Order is effective from the date and time served on Respondent, until, after further hearing in this matter, the Respondent is served with a Protective Order or a Protective Order is denied.

20      The Respondent is ordered to appear at a hearing on:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Room: \_\_\_\_\_

Address: \_\_\_\_\_

**Notice to Petitioner:** A copy or notice of this order should be given by you to anyone who has a legal interest in the individuals protected by this order, such as those with custody or parent-time rights, guardians, conservators, or family members who may be impacted by this order.

DATED: \_\_\_\_\_ TIME: \_\_\_\_\_

BY THE COURT:

\_\_\_\_\_  
DISTRICT COURT JUDGE

**Serve Respondent at:**

Street: \_\_\_\_\_

City/Town: \_\_\_\_\_

State/Zip: \_\_\_\_\_

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this proceeding should call the Clerk of the Court immediately upon receipt of this notice

**IF YOU NEED AN INTERPRETER, PLEASE NOTIFY THE COURT (five days before your hearing, if possible). In all criminal cases and in some other proceedings, the court will arrange for the interpreter and will pay the interpreter's fees. In most civil matters, the court cannot pay for the interpreter but can give you a list of certified approved interpreters. You must use an interpreter from the list.**